

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI**

JOHN REMORENKO, *on behalf of himself  
and all others similarly situated,*

Plaintiff,

vs.

PANERA BREAD CO., RONALD M.  
SHAICH, WILLIAM W. MORETON,  
DOMENIC COLASACCO, DIANE  
HESSAN, FRED FOULKES, LARRY  
FRANKLIN, THOMAS E. LYNCH, MARK  
STOEVEER, and JAMES WHITE,

Defendants.

Case No.: 4:17-cv-01610

**NOTICE CONCERNING RESOLUTION OF PLAINTIFF'S FEE AND EXPENSE  
APPLICATION AND CLOSING OF THE ABOVE-CAPTIONED ACTION**

WHEREAS, on July 14, 2017, Plaintiff filed a Stipulation of Dismissal and Proposed Order dismissing the above-captioned action and reserving the right to submit an application for an award of attorneys' fees and expenses if the claim for fees and expenses could not be resolved through negotiations between Plaintiff and Defendants (the "Fee and Expense Application");

WHEREAS, on July 17, 2017, the Court entered an Order dismissing the complaint in the above-captioned action and retaining jurisdiction solely for consideration of any application for an award of attorneys' fees and expenses, and the case file was administratively closed;

WHEREAS, Plaintiff and Defendants have reached an agreement with respect to the Fee and Expense Application; and

WHEREAS, Plaintiff will not be submitting a Fee and Expense Application to the Court;

THE PARTIES HEREBY SUBMIT NOTICE that the above captioned action should remain irrevocably closed by the Court for all purposes.

Dated: February 8, 2018

Respectfully submitted,

**CAREY, DANIS & LOWE**

/s/ James J. Rosemergy

James J. Rosemergy MO50166  
Carey, Danis & Lowe  
8235 Forsyth, Suite 1100  
St. Louis, MO 63105  
314-725-7700  
jrosemergy@careydanis.com

**OF COUNSEL:**

Donald J. Enright (denright@zlk.com)  
Elizabeth K. Tripodi (etripodi@zlk.com)  
**LEVI & KORSINSKY, LLP**  
1101 30th Street, N.W., Suite 115  
Washington, DC 20007  
Telephone: (202) 524-4290

*Attorneys for Plaintiff*

**THOMPSON COBURN LLP**

/s/ Lawrence C. Friedman (by consent)

Lawrence C. Friedman MO#34382  
One US Bank Plaza  
St. Louis, MO 63101  
314-552-6039  
314-552-7000 (fax)  
jfriedman@thompsoncoburn.com

*Attorneys for Defendants Panera Bread  
Co., Ronald M. Shaich, William W.  
Moreton, Domenic Colasacco, Diane  
Hessan, Fred Foulkes, Larry Franklin,  
Thomas E. Lynch, Mark Stoevers, And  
James White*

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing was filed on February 8, 2018, using the Court's ECF system, and served upon all counsel of record thereby.

/s/ James J. Rosemergy  
James J. Rosemergy